

MAJOR MILESTONES REPORT – 7/1/20

Likely in July

Non-Responsive - Caribbean Environmental Protection Division

(CEPD/MCPB) – Jose Rivera)

- ORD Office of Science Advisor, Policy and Engagement (OSAPE) will announce the regional awardees for the Regional Sustainability and Environmental Sciences (RESES) program which funds ORD regional research to promote sustainable and healthy communities (LSASD-Mindy Pensak)
- ORD Office of Science Advisor, Policy and Engagement (OSAPE) will announce the regional awardees for the Regional State Tribal Innovation Projects (RSTIP) which provides seed funding for regional office projects (in partnership with ORD) to address state and tribal science priorities, leading to more efficient and effective environmental programs (LSASD-Mindy Pensak)

Non-Responsive - Air and Radiation Division

ARD- Ken Fradkin)

- Approve NJDEP's adoption of amendments to the Surface Water Quality Standards (SWQS), N.J.A.C. 7:9B, that: upgrade the antidegradation designation of approximately 600 river miles to Category One (C1); update stream reclassifications based on trout sampling data; and modify the definition of "exceptional ecological significance." (WD - Brent Gaylord)
- Issue Record of Decision for the Arsenic Mines Site (SEMD – Mark Granger)
- Issue Proposed Plan and Record of Decision for Imperial Oil (ROD Amendment) (SEMD – Renee Gelbat)

- Issue Proposed Plan and Record of Decision for Riverside (SEMD – Josh Smeraldi)
- Issue Proposed Plan and Record of Decision for Unimatic OU2 (SEMD – Trevor Anderson)
- Issue Record of Decision for Sherwin Williams/Hilliards Creek OU2 (SEMD – Ray Klimcsak)
- FMC Dublin Road NPL Deletion (SEMD – Isabel Rodrigues)

Non-Responsive - Caribbean
Environmental Protection

(CEPD – Adalberto Bosque)

Likely BEFORE the end of this Fiscal Year

- Approve NJDEP's adoption of amendments to the Surface Water Quality Standards (SWQS), N.J.A.C. 7:9B, that: upgrade the antidegradation designation of approximately 600 river miles to Category One (C1); update stream reclassifications based on trout sampling data; and modify the definition of "exceptional ecological significance." (WD - Brent Gaylord)
- Prasinol (name of firm) underground injection control draft permit public notice. Oxford, NY. (WD - Chip Hillenbrand/Kim McEathon)

Non-Responsive - Air and Radiation Division

(ARD - Linda Longo)

Non-Responsive - Air and Radiation Division (ARD – Linda Longo)

Non-Responsive - Air and Radiation Division

(ARD – Omar Hammad)

Non-Responsive - Air and Radiation Division

(ARD – Kirk Wieber)

Non-Responsive - Air and Radiation Division

(ARD – Ysabel Banon)

- Issue Record of Decision for Newtown Creek OU2 (SEMD – Caroline Kwan, Mark Schmidt, Anne Rosenblatt)

- Issue Proposed Plan for Diamond Alkali OU4
(SEMD – Diane Salkie)
- Issue Proposed Plan and Record of Decision for Cinnaminson OU4
(SEMD – Alida Karas)
- Issue Record of Decision for Ringwood Mines
(SEMD – Joe Gowers)
- Issue Proposed Plan and Record of Decision for GCL OU3
(SEMD – Ashley Similo)

Non-Responsive - Caribbean Environmental Protection Division

(CEPD – Luis Santos)

- Issue Proposed Plan and Record of Decision for Facet OU3
(SEMD – Isabel Rodrigues)
- Following the public comment period and agency reviews, the Barnegat Bay Partnership's revised estuary Comprehensive Conservation & Management Plan (CCMP) will be final.
(WD, Barbara Spinweber)
- Release of the five-year Lake Ontario Lakewide Action and Management Plan. (WD, K. Heineman & A. Sexton-Sims).

Non-Responsive - Land, Chemicals and Redevelopment Division

(LCRD – Adolph Everett)

- Following public comment and agency reviews, the Peconic Estuary Partnership's Comprehensive Conservation & Management Plan (CCMP) will be final.
(WD A. Boucher, A. Sexton-Sims)
- Submission of Regional Applied Research Effort (RARE) proposals to the Office of Science Advisor, Policy and Engagement (LSASD – Mindy Pensak).

AIR AND RADIATION DIVISION

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

 Past Week:

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION

Hot Issues: N/A

Upcoming: N/A

Past Week:

Belleville Water Department: Last week, ECAD issued an Administrative Order on Consent (AOC) to Belleville Township which establishes an alternate compliance schedule for lead service line replacements and requires Belleville to evaluate treatment alternatives for corrosion control and disinfection byproduct if actions taken by Newark are not enough to bring Belleville into compliance with the regulations. During our March 2020 meeting with the Township, the agreement in principal reached included the AOC to allow the township the time needed to comply and a nominal penalty to resolve the underlying violations of the original Administrative Order. A proposed Consent Agreement and Final Order was also transmitted to the township with a nominal penalty. NJDEP was engaged throughout the process and supports both the AOC and penalty action.

Newly Issued Pesticide Establishments: A new establishment number was issued on June 25, 2020 to **Mirandy Products, LLC** of Hempstead, NY. ECAD reached out to the company to inquire about the nature of the business and were told that the company "have current products that are beneficial and plan to begin manufacturing new products that will help fight the coronavirus." ECAD provided EPA's compliance advisory on pesticides and Coronavirus.

A new establishment number was issued on June 19, 2020 to **Schindler Elevator Corp.** of Wayne, NJ. ECAD reached out to the company to inquire about the nature of the business and were told that the company will be "commissioning kits of LED UV-C modules intended for installation inside escalators, for handrail sanitization." ECAD provided general info. on pesticide devices, stated devices cannot make false and misleading claims, provided the link to EPA's page on why UV devices are not on EPA's List N, information on establishment registration, information on importing UV devices, and attached EPA's compliance advisory on pesticides and Coronavirus.

Pre-filing Letter sent to EverywhereAire: On June 22, 2020 a pre-filing letter was emailed to EverywhereAire as an invitation to settle the ongoing matter regarding an unregistered pesticide: PlaneAire Travel Mist. On June 23, 2020, EverywhereAire responded saying they will fix the PlaneAire.com website and pursue a minimum risk pesticide determination from EPA Headquarters. A date for the settlement conference has not been set but is expected to occur in early July.

FIFRA Notice of Detention to New Shining Image LLC: On June 18, 2020, a FIFRA Notice of Detention and Hearing (NOD) was issued to New Shining Image LLC of Middletown, NY for importing misbranded pesticide devices. The product is a UV sterilizer for which a Notice of Arrival of Pesticides had not been submitted. ECAD had previously alerted the company to NOA requirement for UV devices. The NOD gives New Shining Image 20 days to provide explanation for why the product should not be exported. The company has requested an EPA establishment number for their facility in hopes that they can relabel, which has not been issued yet. It has not been shown yet if the product was originally manufactured in an EPA registered establishment, which would be a prerequisite to allowing relabeling.

FIFRA Notices of Detention to Sani Sport: On June 24, 2020, two FIFRA Notices of Detention and Hearing (NOD) were issued to Sani Sport of Saint-Laurent, QC, Canada for importing unregistered pesticides. The product, Sani Sport VE, is an instrument which doubles as an ozone generator and hydrogen peroxide vaporizer for antimicrobial purposes. Because this instrument incorporates hydrogen peroxide, the whole instrument is considered a pesticide which must be registered. The NOD gives Sani Sport 20 days to provide explanation for why the product should not be exported. LPPCS has provided the company with information about pesticide registration and contacts in OPP.

EPA's Presentation at Northeast Waste Management Officials' Association Webinar: ORC and ECAD are developing a presentation on the Aladdin Packaging LLC case which was recently settled. The presentation will be delivered on July 21 via webinar hosted by Northeast Waste Management Officials' Association (NEWMOA), an organization with member states from New England states, NY, NJ and EPA. During the Covid pandemic, NEWMOA has been hosting RCRA hazardous waste training webinars for its members. Our presentation will focus on RCRA air emission violations found at Aladdin Packaging facility, a commercial printer on Long Island, and will cover the inspection, negotiations, communications with EPA HQs and settlement.

Regional Administrator's Pending Action Items: N/A

Subject	Date Sent to RA's Office	Required By/Due Date	Comments
Chemprene CA/FO	6/9/20		
Chroma Color CA/FO	6/11/20		

Other Items of Interest: N/A

LABORATORY SERVICES AND APPLIED SCIENCE DIVISION

Hot Issues:

Upcoming:

Region 2 Laboratory:

At this time, laboratory operations have been suspended except for emergency analysis. Under Phase-1 return restrictions, limited analysis shall resume in the laboratory starting July 6th, 2020. (POC: J. Bourbon)

HWSB-SST Superfund Sampling Projects – Currently Suspended:

Pierson's Creek groundwater sampling, Kearny,	TBD
Vineland Chemical surface water/sediment sampling, Vineland, NJ	TBD
Pioneer Metal Finishing groundwater sampling, NJ	TBD
Zschiegner groundwater sampling, Howell, NJ	TBD
Waldick Aerospace groundwater sampling, Wall, NJ	TBD
Imperial Oil groundwater sampling, Morganville, NJ	TBD
Smithtown groundwater sampling, Smithtown, NY	TBD
Syncon Resins groundwater sampling, Kearny, NJ	TBD
Robintech-Passive bag deployment, Vestal, NY	TBD
Olean/Loohn's Dry Cleaners groundwater sampling, Olean, NY	TBD
Hopewell Precision water/VI sampling, Hopewell, NY	TBD
Arsenic Mines sampling, Kent, NY	TBD
Lightman Drum groundwater sampling, Winslow, NJ	TBD
(POC: A. Jackson)	

HWSB-HWSS: Data Validation Projects Scheduled:

Fried Industries, East Brunswick Township, NJ
Old Roosevelt Field Contaminated GW Area, Garden City, NY
Combi Fill South Landfill, Chester Township, NJ

Bog Creek Farm, Howell Township, NJ
South Jersey Clothing Company, Minotola, NJ
Rocky Hill Municipal Well, Rocky Hill Borough, NJ
Lawrence Aviation, Port Jefferson Station, NY
(POC: Narendra Kumar)

Past Week:

SARS-CoV-2 in Wastewater: The RSL coordinated and participated in a meeting with Jay Garland (ORD/CESER), LSASD LB and Dr. Elizabeth Suter of Molloy College to address questions Dr. Suter had regarding laboratory protocols and requirements related to the analysis of wastewater for SARS-CoV-2. Dr. Suter, a researcher in the field of environmental microbiology, has been working with organizations in Nassau County (NY) to establish a network of academic, private, and local government laboratories for early detection of COVID-19 outbreaks using wastewater samples. The call also focused on the various molecular protocols that have been developed for the detection of SARS-CoV-2 in wastewater and the lack of a standardized method. (POC: M. Pensak)

PFAS Wet Deposition Study: LSASD RSL & LB participated in a meeting with ORD CEMM, OAR, R2ARD and NJDEP regarding the expansion of the National Atmospheric Deposition Program (NADP)/Wisconsin State Laboratory of Hygiene effort to build capability to measure 'targeted' PFAS (essentially the drinking water Method 537.1 list of compounds) in precipitation. The selection of the sampling location in NJ is based upon the monitoring station's proximity to several southern NJ PFAS sites of concern (e.g. Solvay and DuPont). (POC: M. Pensak)

SARS-CoV-2 & Use of Ultraviolet C for Disinfection: The RSL facilitated a meeting between researchers at the Rutgers Center for Advanced Infrastructure and Transportation and ORD CESER to discuss the use of Ultraviolet C for disinfection for SARS-CoV-2 on public transportation. (POC: M. Pensak)

Dayco/LE Carpenter: SST reviewed the MW-30 Area Wetland Soil Hot-Spot Removal Workplan for the Dayco Corp. /L.E. Carpenter Company site located in Wharton, New Jersey. It is indicated in the document that the passive remedies in the form of monitored natural attenuation are not sufficient by themselves to address residual groundwater impacts in the area. Therefore, this workplan describes an effort to remove some hot-spot areas of contaminated soil in a wetland area on the site. It was recommended that a paragraph be included in the document that would discuss how the success of this remedial action will be evaluated. (POC: M. Clemetson)

St. Lawrence River Area of Concern (AOC) at Massena/Akwesasne Shoreline Assessment

QAPP: AWQAT reviewed the revisions to the project and conditionally approved on June 22, 2020. This project plans to document shoreline locations within the St. Lawrence River region of the AOC that exhibit an eroded condition. These degraded shoreline locations within this region of the AOC will be delineated and prioritized to identify locations best suited for future fish and wildlife habitat restoration. The project plans to use some data generated as part of earlier QAPP projects approved in 2017 as well as gather new data using unmanned aerial vehicle imagery and associated data analysis. (POC: S. Rao)

HWSB-HWSS: Superfund/Brownfield QAPPs & Documents Received:

BF – South Boulevard Promenade, Atlantic City, NJ (rev. 3)

BF – Greater Syracuse Land Bank, Syracuse, NY (rev. 1)

SF – Diaz Chemical OU-2 RA Revised QAPP

(POC: D. Ringel)

HWSB-HWSS: Superfund/Brownfield QAPPs & Documents Completed:

BF – Former Duofold Facility, Ilion, NY (completed 6/24)

BF – South Boulevard Promenade, Atlantic City, NJ (completed 6/29)

BF – Greater Syracuse Land Bank, Syracuse, NY (completed 7/1)

SF – Raritan Bay Slag Seawall Sector Remedial Design Oversight QAPP

SF – Raritan Bay Slag Seawall Sector 95% Remedial Design Report

(POC: D. Ringel)

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>

Other Items of Interest:

LAND, CHEMICALS AND REDEVELOPMENT DIVISION

Non-Responsive - Land, Chemicals, and Redevelopment Division

Non-Responsive - Land, Chemicals, and Redevelopment Division

MISSION SUPPORT DIVISION

Non-Responsive - Mission Support Division

Non-Responsive - Mission Support Division

Non-Responsive - Mission Support Division

OFFICE OF REGIONAL COUNSEL

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/ Due Date</u>	<u>Comments</u>
Exemption 5: Attorney-Client Communication, Attorney Work Product	5/22/20		
Exemption 5: Attorney-Client Communication, Attorney Work Product	6/11/20		
Proposed letter to VI Governor re: solid waste disposal crisis in USVI	6/11/20		
Proposed note to Doug Benevento, Peter Wright and other HQ officials re: solid waste disposal crisis in USVI	6/18/20		
Draft letter to Stella Martin	12/23/19		

PUBLIC AFFAIRS OFFICE

Hot Issues:

PAO is coordinating with SEMD on a number of news releases for proposed plans at Superfund sites, including coordinating news releases and virtual public meetings.

News Releases:

June 30: [EPA Selects Remedy to Protect Residents at Arsenic Mine Superfund Site in Kent, New York](#)

Upcoming News Releases:

- Proposed Plan for Unimatic Superfund Site OU2
- Proposed Plan for Riverside Park Superfund Site

Upcoming Community Meetings:

- Diamond Alkali/Passaic River CAG meeting, July 9
- Newtown Creek CAG meeting, July 15
- Hoosick Falls CPWG, July 22
- Unimatic Virtual Public Meeting, July 23
- Riverside Industrial Virtual Public Meeting, July TBD

Past Week:

Wolff-Alport

PAO is working with SEMD on the following action items for the Wolff-Alport Superfund site: 1) identify resources for small businesses affected by relocation; 2) draft a letter to agencies interested in supporting small businesses affected by relocation; and 3) discuss a timeline for forward movement. We also began brainstorming ideas for a virtual open house where small business owners and support agencies can meet and discuss possible partnerships through the relocation process. (POC: Donette Samuel)

Cornell Dubilier

The EPA trailer is on site and work to install the water line is being prepared. A community update factsheet was shared with the town and community members. The factsheets are also located in the trailers should someone need additional information. (POC: Pat Seppi)

Arsenic Mine

The Arsenic Mine Record of Decision (ROD) was signed on June 29. EPA shared the fact sheet and press release with local officials and the community, in particular, the residents who may be relocated. Now that the ROD has been issued, EPA and New York State will enter into a Superfund State Contract later this summer through which New York State will commit to, among other things, cost share the remedy with EPA. After that EPA will enter into an interagency agreement with the U.S. Army Corps of Engineers, which on EPA's behalf, will perform the relocation and will hire contractors to perform the demolition of the vacated houses. (POC: Pat Seppi)

Mansfield Trail Dump

Outreach to CAG members and local officials has been conducted with site updates and additional information, including that the Remedial Project Manager (RPM) for Mansfield has moved to a different position. Once a new RPM is in place, the residents will be notified. A CAG meeting will be scheduled in the near future. (POC: Pat Seppi)

Fried Industries

EPA participated in a call with the town of East Brunswick, DEP, the Contractor and a company that traps and relocates beavers. There is a serious flooding problem at the site due to a large beaver dam that prohibits us from sampling our wells. EPA has been in contact with the NJDEP Division of Fish and Wildlife quite a few times to try and get them on board to help with the beaver problem, but they haven't provided any assistance to date. To that end, the USACE contractor is concerned because the flood waters are too high for taking samples at the wells. The contractor reached out to a local company to get an estimate which would charge \$350 per beaver (there are at least ten of them). Removing the dam is an extra cost. DEP should be able to do it through their Fish and Wildlife division for free, and we will continue to reach out to them. Note that DEP employees are furloughed making scheduling difficult. (POC: Pat Seppi)

Pohatcong

EPA participated in a call with Greenwich Township, their town engineer, Rio Tinto, Arcadis and the USACE to discuss the milling and paving that will happen shortly in Greenwich Township. The town expressed their gratitude that both sides of the road will be paved – originally only the side where the pipes were installed was going to be paved. (POC: Pat Seppi)

Columbia Smelting/Red Hook Park

EPA staff participated in a virtual meeting with local Red Hook community groups and NYC Parks on June 25. The focus of the call was the status of work at Red Hook Park ball fields 5 – 9. Other topics of discussion included CAG formation, community engagement and availability of site related information in other languages and opportunities for further engagement. The community groups will be meeting (without EPA) to discuss CAG formation and expects to host another meeting with the Columbia Smelting project team within the next two weeks. (POC: Natalie Loney)

Upcoming:

Unimatic

The Unimatic virtual Public Meeting is scheduled for July 23 at 6:00pm-8:00pm EST. In preparation for the meeting, the court reporter and the newspaper announcement were confirmed on June 29 and the SPP page is being updated to include the Proposed Plan, latest factsheet, and meeting details. (POC: Donette Samuel)

Sherwin Williams

A community update regarding resuming work at the Sherwin Williams site will be shared with Sherwin Williams and the contractor. EPA will also notify Voorhees Township where the four Kirkwood Lake properties are located about speaking to the residents whose homes will be remediated and restored. (POC: Pat Seppi)

Pohatcong

EPA will be sending out letters to the 30 outlier properties regarding the testing that will begin this fall to determine if POET systems are needed on their wells. EPA will not need new access agreements since the ones we've used in the past are general in nature and fit the sampling protocol. Rio Tinto's contractor will schedule the times to visit the properties. (POC: Pat Seppi)

Onondaga Lake (Lower Ley Creek subsite): EPA is working on developing a communications strategy for the Lower Ley Creek subsite and Ley Creek Deferred Media portion of the General Motors – Inland Fisher Guide subsite of the Onondaga Lake Superfund site to develop systematic communications with local residential, commercial, and industrial entities, as well as elected officials, through consistent engagement to support EPA's design and remedial action activities. (POC: Larisa Romanowski)

Regional Administrator's Pending Action Items: Updated by Sabina 6/26

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>
Kiryas Joel – RA to share letter sent to NYSDEC with Orange County attorney, Langdon Chapman	3/9/2020		Mary shared WD draft

SUPERFUND AND EMERGENCY MANAGEMENT DIVISION

Hot Issues:

Columbia Smelting and Refining Works: Work resumed at the Site on June 29, 2020 after the Covid-19 safety plans were approved. Signage and supplies, as required by the HASP, were provided. Disposal of soil piles should begin next week.

A local group has expressed concerns of dust blowing from the Ballfields 5-8 site. EPA has had numerous meetings and calls discussing the situation. The NYC Parks Department had their contractors conduct air monitoring on June 16, 2020 during the work shut down to show the dust levels that were occurring at the Site with no activity. As expected, results were well below the established action levels. A follow-up meeting was held on June 24, 2020 with the community group to explain the air monitoring and answer additional questions. The community is looking into forming a Community Advisory Group. Information was provided for options and funding. Biweekly calls will continue.

Hopewell Precision: On 6/30, we heard from the Town that they are on board with EPA beginning work in homes to provide connections to the new water supply. In order to assess whether homeowners were accepting of EPA proceeding with interior connections, the Corps contractor reached out to 171 of the 303 property owners. 165 of 171 (97%) of the property owners indicated they were comfortable with proceeding with the connections. We will draft a note (or provide a short briefing) requesting the RA's approval to move forward with the interior work.

Upcoming:

Past Week:

Other Items of Special Interest:

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>
Dewey Loeffel - Candidate Tech Memo Wrap up Summary to CAG	5/28	6/10/20	
Woodbrook Rd draft email to S. Bodine and P. Wright	-	-	ORC redrafting for RA
Review updated Maywood fact sheet for briefing the Administrator	6/23/20	ASAP	
Note to OLEM & OW re: RESES research work with R3, ORD, NJ & NY	6/23/20	-	
Controlled correspondence from resident re: Quanta	6/24/20	-	Inquiry re: redevelopment status of the property
Review Site Deletion Decision Document for Hormigas	6/25/20	ASAP	

CC: R2 RA Briefing Book

STRATEGIC PROGRAM OFFICE

ENVIRONMENTAL REVIEWS

Past Week:

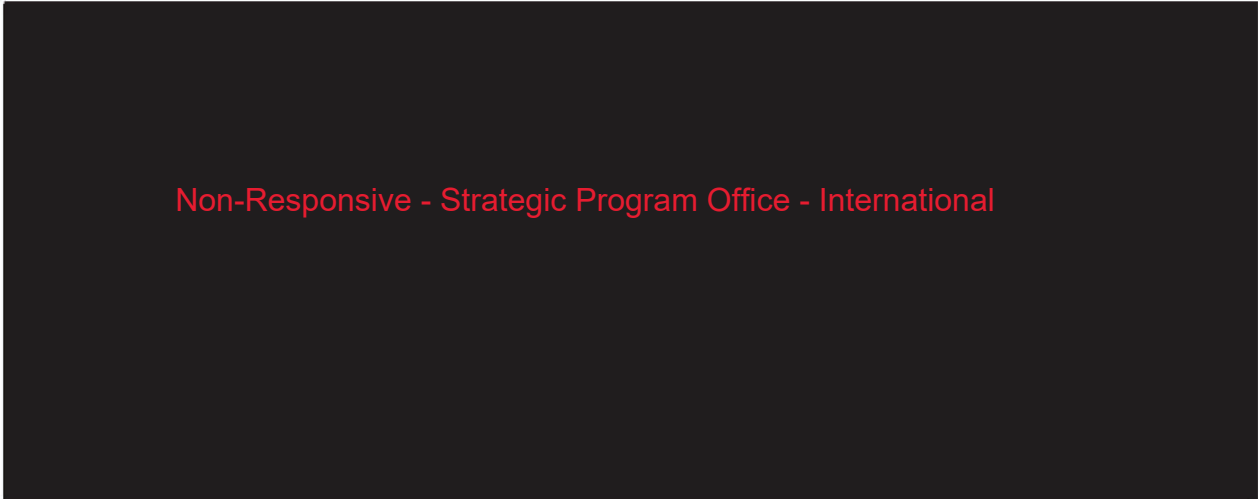
Levine Reservoir Water Storage Improvement Project Memorandum of Agreement (MOA)



In addition to EPA, NJSHPO, NJDEP, NPS and PVWC, the Mayor of the City of Paterson signed the MOA for the Levine Reservoir Water Storage Improvements Project late last week. The MOA, along with the signature pages, was sent to the Advisory Council on Historic Preservation for final signature by their executive director. With the Council's signature, the MOA is considered fully executed, allowing for the work to commence immediately.

Allied Textile Printing Allied Textile Printing, Proposed Fence and Building Sealing Project
Under Section 106 consultation, the New Jersey State Historic Preservation Office (NJSHPO) responded to the Region 2's Historic Preservation Office's information request to address the outstanding issues associated with the temporary site security project on June 29. The City of Paterson's Historic Preservation Officer is currently working on the Project Authorization Application for NJSHPO's review and approval before the fence project can proceed as notified on June 23. While both offices are in agreement on addressing most project issues, the NJSHPO disagrees with our fencing installation proposal and has concerns on construction activities causing potential harm to historic properties on-site and requested EPA to revisit the fencing construction alignment and installation methods, and requested an evaluation of fencing alternatives, including the no action alternative.

INTERNATIONAL



**COMMUNITY REVITALIZATION / ENVIRONMENTAL JUSTICE
SMART SECTORS / CHILDREN'S ENVIRONMENTAL HEALTH**

COMMUNITY REVITALIZATION

Past Week:

Significant Non-Compliance (Minors)

Strategic Programs conducted outreach to nine of the twelve NPDES non-compliance communities (those considered as minors) to determine a path forward for bringing them into compliance. SPO, ECAD and WD briefed the Regional Administrator on June 30th. Next steps will be to develop a facility-specific action plan and engage local officials on our efforts.

EPA's Anaerobic Digester Grant Collaboration

SPO staff facilitated a discussion with the United Clergy Taskforce and the Hindu Seva Communities Association, both non-profits, who are interested in collaborating with UPR-Mayaguez's (UPR-M) Department of Civil Engineering and Surveying. A feasibility study was completed last year and they are ready to implement it in a few municipalities. UPR-M is a key partner of the Healthy Buildings Long-term Disaster Recovery Collaborative.

Upcoming:

Region 2 Lead Action Plan:

The Region 2 Lead Team has completed input to the regional tracking tool on lead actions. Strategic Programs is compiling the information into the first quarterly monitoring report which is due to the Administrator's Office by July 17.

ENVIRONMENTAL JUSTICE

Upcoming:

NEJAC

On July 8, David Kluesner, Towana Joseph and members from the NEJAC have scheduled a follow-up call on action items developed from the February 2020 OEJ/NEJAC meeting held in Jacksonville, Florida.

NJ Environmental Justice and Clean Air Energy Roundtable

Strategic Programs will participate in this roundtable discussion, coordinated by NJ Spotlight, that will address the recent introduction of two new environmental justice bills by the State. The first bill (S232) requires evaluation of environmental and public health impacts on overburdened communities when reviewing certain permit applications, including power generation facilities. The second (S-2484) creates within the BPU the Office of Clean Energy Equity and seeks to ensure those living in low- and moderate-income communities share in the benefit of ratepayers' investment in the state's clean energy future. These bills aim to protect overburdened communities from undue pollution impact and provide them access to clean energy including, workforce development opportunities.

CHILDREN'S ENVIRONMENTAL HEALTH

Past Week:



Children and Disasters Request

Strategic Programs received comments on the Children and Disasters issues request from OCHP and which will be finalized and submitted this week.

AGRICULTURE

Non-Responsive - Strategic Program Office - Agriculture

DISASTER RECOVERY AND MITIGATION

Non-Responsive - Strategic Program Office - Disaster Recovery and Mitigation

Non-Responsive - Strategic Program Office - Disaster Recovery
and Mitigation



TRIBAL PROGRAM

Non-Responsive - Strategic Program Office - Tribal Program

OTHER ITEMS OF INTEREST

Strategic programs facilitated the start of the PAO-media relations branch ELMS process. The process will focus on special events. When complete, ORA will have reached 80% of staff trained.

WATER DIVISION

Hot Issues:

Steam Electric Effluent Limitation Guidelines: The Office of Water held Final Agency Review (FAR) of the Steam Electric Effluent Limitation Guidelines on Friday, June 26, 2020. All Regions and Offices either concurred or concurred with comment. Recent revisions to the rule include purge for bottom ash will be site-specific (still capped at 10%) rather than across the board, the low utilization subcategory will be much narrower, with a cutoff of 8% utilization rather than 876,000 MWh production, bottom ash requirements have a “no later than” date of 2025 for compliance, and the earliest applicability dates would be postponed six months or more into 2021. We expect that this will have minimal effect on Region 2 facilities, as most coal fired steam electric plants are closing or repowering with alternative fuel. However, the new guidelines may result in additional limits or requirements for those facilities that still maintain coal ash retention ponds. The Office of Water is on an expedited schedule to meet a deadline of final signature by August 2020. (POC: K. O'Brien)

Prasinos UIC Class V Draft Permit Update: On 6/26, EPA met with Representatives of Prasinos to discuss the company's comments on EPA's draft UIC permit for an experimental technology Class V injection well. The company has requested that EPA incorporate additives into the public noticed draft permit that the company might use later on in their process. The public comment period will end on July 10th. EPA is considering options for evaluating and incorporating additives, including permit redrafting or modification with an additional public comment period. (POC: C. Hillenbrand)

Upcoming:

None

Past Week:

NY/NJ Harbor Dredging: On Thursday, June 25, DSOS sent Clean Ocean Action a letter responding to comments it made to the draft Historic Area Remediation Site Management and Monitoring Plan (SMMP). In addition, two of Clean Ocean Action's comments resulted in revisions to the SMMP. The SMMP is ready for RA signature. DSOS has a briefing scheduled with the RA on July 13. (POC: M. Reiss)

Great Lakes Restoration Initiative (GLRI): On June 25, EPA's Great Lakes National Program Office (GLNPO) approved New York State Department of Environmental Conservation's request to remove the “Tainting of Fish and Wildlife Flavor” Beneficial Use Impairment (BUI) from the Buffalo River Area of

Concern (AOC). GLNPO will notify the International Joint Commission of this significant positive environmental change at this AOC. Since most management actions are completed in the Buffalo River AOC, this removal brings us closer to our goal to restore the AOC and formally delist it. In addition to "Degradation of Aesthetics," this is the second, of the nine BUIs to be removed in the Buffalo River AOC. The Buffalo River AOC coordination team is currently in the early stages of developing the removal report for the "Loss of Fish and Wildlife Habitat" BUI. We anticipate that this BUI will be removed in FY 2021. The remaining 6 BUIs: "Restriction on Fish and Wildlife Consumption"; "Degradation of Fish and Wildlife Populations"; "Fish Tumors or other Deformities"; "Bird/Animal Deformities or Reproductive Problems"; "Degradation of Benthos" and "Restrictions on Dredging Activities" will be re-assessed for removal following the five year Great Lakes Legacy Act monitoring period which ends in July 2020. (POC: E. VanRabenswaay)

Seneca Nation of Indians and the Pennsylvania 303d List of Impaired Waters: Pennsylvania will be public noticing its water quality Integrated Report (IR) in the next 2-3 weeks, which includes its 303d list of impaired waters. EPA Region 3 reached out to Region 2 to find out how we wanted to handle sending a letter informing the Seneca Nation of Indians about the Pennsylvania 303d list. We responded that written notification to the Seneca Nation of Indians should come from R3 as it is the lead for PA's 303(d) list. If the Seneca Nation responds in the affirmative, Region 2 would assist Region 3 by facilitating the consultation discussions between the Nation and R3. (POC: A. Sexton-Sims)

Other Items of Special Interest:

Regional Administrator's Pending Action Items:

Subject	Date Sent to RA's Office	Required By/ Due Date	Comments
Lake Ontario Lakewide Action and Management Plan (LAMP) Review	February 25, 2020	March 17, 2020	RA input sought prior to U.S. concurrence on public release of the LAMP on www.binational.net
Draft letter response to Lisa Jaeger, the Chairperson for the Windham Chamber of Commerce	April 3, 2020	NA	
Seneca Nation TAS for WQS	4/27/20	ASAP	We hope to get input from Lee Forsgren at OW about next steps for moving the application forward.


Enforcement Report

NON-CONFIDENTIAL ITEMS:

Consent Decree Lodged in RCRA-UST Enforcement Action. On June 30, 2020, the U.S. Attorney's Office for the Southern District of New York, on behalf of EPA, lodged a proposed Consent Decree to resolve the United States' claims against Chestnut Petroleum Distributors, Inc. and eight related entities. The settlement, which will be subject to a 30-day public comment period, follows a complaint that was filed by the U.S. on May 1, 2019, alleging that the defendants violated underground storage tank (UST) regulations at 20 gasoline service stations in New York and New Jersey. The complaint alleged that the defendants failed to: perform release detection and maintain records of release detection monitoring for active and temporarily closed USTs; test and inspect USTs; maintain and provide records of corrosion protection; cap and secure temporarily closed USTs; report suspected releases or unusual operating conditions; conduct release investigation and confirmation of suspected releases or unusual operating conditions; and maintain insurance policies. Under the proposed Consent Decree, the defendants would pay a civil penalty of \$187,500 and perform significant injunctive relief, including the taking of steps to comply with each of the above-mentioned requirements, as well as the following: continued operation, for at least a period of three years, of an electronic environmental management system providing centralized monitoring of release detection at all USTs, and compliance with new UST regulations that became effective in October 2018. (ORC Contact: Bruce Aber, (212) 637-3224. Program Contact: Paul Sacker, (212) 637-4237)

ALJ Issues Initial Decision Assessing Penalty against NYSDOT for CWA Violations. On June 20, 2020, Chief Administrative Law Judge Biro issued an Initial Decision and Order finding the New York State Department of Transportation liable for violating 13 separate conditions of its CWA Municipal Separate Storm Sewer System (MS4) permit for a total of 14,436 days, and assessed a penalty of \$88,300.68. In 2012 and 2013, EPA conducted audits of three of Respondent's 11 regional operations, and found longstanding, systemic and serious violations of Respondent's MS4 permit obligations. On March 5, 2014, EPA issued an administrative compliance order directing Respondent to remedy its violations, which it did by February 5, 2016. On June 16, 2016, EPA issued an administrative complaint seeking to assess a penalty of \$150,000. EPA and the Respondent were not able to reach a settlement, and therefore the case was litigated before Judge Biro, which included a 3-day hearing in 2018. In her June 20, 2020 Decision, the ALJ found that EPA's proposed \$77,000 gravity portion of the penalty was well supported by the evidence, assessed an economic benefit portion of \$7,450.68, and assessed an additional \$3,850 for Respondent's level of culpability. (ORC contacts: Chris Saporita, 212-637-3203; Jason Garelick, 212-637-3182. Program contact: Christy Arvizu (212-637-3961).

EPA and GE Enter into Design Agreement for Area 3 at Cayuga County Groundwater Contamination Site. On June 26, 2020, EPA Region 2 finalized an amendment to a CERCLA administrative settlement agreement and order on consent with General Electric Company for the Cayuga County Groundwater Contamination Superfund Site in Cayuga County, New York.



Under the amendment, GE will perform the remedial design of the groundwater remedy selected in a 2019 Record of Decision for Area 3, which is designated as operable unit 2 at the site. Area 3 is the farthest portion of a 7-mile groundwater plume that extends from GE's former manufacturing facility in the City of Auburn, NY. The 2019 ROD calls for monitored natural attenuation of groundwater in Area 3, long-term monitoring of groundwater, and institutional controls. (ORC contact: Argie Cirillo, 212-637-3178. SEMD contact: Isabel Rodrigues, 212-637-4248)